

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**ARLENE ARKUS,**

**Plaintiff**

**VS.**

**RICHARD J. BOUDREAU &  
ASSOCIATES, LLC,**

**Defendant**

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**Case No. 4:10cv394  
(Judge Schell/Judge Bush)**

**[PROPOSED] SCHEDULING ORDER**

After reviewing the report from the parties required by Fed. R. Civ. P. 26(f) and after consulting with the parties by mail or a scheduling conference, the court hereby enters the following Scheduling Order pursuant to this court's Local Rule CV-16 and Fed. R. Civ. P. 16:

- (1) Other parties shall be joined pursuant to Fed. R. Civ. P. 19 and 20 by January 10, 2011. (A motion for leave to add parties is not necessary provided parties are added by this date, otherwise leave of court is required. The date to add parties should be at least 60 days before the deadline for filing motions listed in (3) below.)
- (2) Amended pleadings shall be filed by January 10, 2011. (A motion for leave to amend is not necessary; however, this date should be at least 30 days before the deadline for filing motions listed in (3) below.)
- (3) All motions to transfer, motions to remand, motions to dismiss, motions for summary judgment, or other dispositive motions, shall be filed by April 30, 2011. Unless leave of court is first obtained, a party may file no more than one motion for summary judgment. (In order for the court to make a ruling on these motions before the Final Pretrial Conference and Trial Scheduling date, this date should be at least 75 days before the Final Pretrial Conference and Trial Scheduling date (10).)
- (4) Disclosure of expert testimony pursuant to Fed. R. Civ. P. 26(a)(2) and Local Rule CV-26(b) shall be made by the plaintiff by June 27, 2011, and by the defendant by July 11, 2011. Thereafter, each party shall have until July 25, 2011, to object to any other party's expert witnesses. Such objections shall be made by a motion to strike or limit expert testimony and shall be accompanied by a copy of

the expert's report in order to provide the court with all of the information necessary to make a ruling on any objection.

- (5) Pretrial disclosure pursuant to Fed. R. Civ. P. 26(a)(3) shall be made by the plaintiff by August 1, 2010, and by the defendant by August 1, 2010.
- (6) All fact discovery shall be commenced in time to be completed by April 30, 2011. (This date should be no later than the deadline for filing dispositive motions.)
- (7) This case shall be mediated by May 30, 2011. If the parties agree on a mediator, they shall so notify the court of the name, address, and telephone number of the attorney-mediator by March 28, 2011. Otherwise, the court will select a mediator.
- (8) Two copies of the Joint Final Pretrial Order prepared in accordance with Local Rule CV-16(b) and Joint Proposed Jury Instructions and Verdict Form (or proposed Findings of Fact and Conclusions of Law in nonjury cases) shall be delivered by the plaintiff to the court by September 5, 2011. In order to enable the plaintiff to prepare and deliver the Joint Final Pretrial Order and Joint Proposed Jury Instructions and Verdict Form (or proposed Findings of Fact and Conclusions of Law in nonjury cases) to the court, and to enable the defendants and any third parties to participate in the preparation of such documents, the plaintiff shall provide the plaintiff's share of the necessary information to all other parties by August 15, 2011. Thereafter, all defendants and third parties shall provide their share of the information to plaintiff by August 22, 2011.
- (9) Any motions in limine shall be filed by September 2, 2011. (This date should be at least 30 days prior to the Final Pretrial and Trial Scheduling date (10).) Responses to motions in limine shall be filed within the time provided by Local Rule CV-7.
- (10) This case is set for a Final Pretrial Conference and Trial Scheduling on October 3, 2011. (Select a date from the enclosed list of Final Pretrial Conference and Trial Scheduling Dates.)